

**Preliminary Amendment**

Applicant: Mark A. Smith et al.

Serial No.: 09/839,385

Filed: April 20, 2001

Docket No.: 10001074-1

Title: INK CONTAINER CONFIGURED TO ESTABLISH RELIABLE FLUIDIC CONNECTION TO A RECEIVING STATION

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**REMARKS**

In the Office Action mailed January 7, 2004, the rejection of claims 1-8 and 10-20 was made final. With this Amendment, claims 1, 7, 10 and 16 have been amended, and new claims 21-24 are added. Claims 1-8 and 10-24 remain pending in the application and are presented for consideration and allowance.

**Claim Rejections under 35 U.S.C. § 103**

Claims 1-8 and 10-20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Tomikawa et al. (U.S. Patent no. 6,039,441) in view of Aono et al. (U.S. Patent no. 6,471,321).

Independent claim 1 has been amended to specify that the fluid outlet of the replaceable ink container is configured to allow passage of the receiving station fluid inlet into the ink container reservoir. Tomikawa et al. does not show, teach or suggest a replaceable ink container comprising a reservoir defining a fluid outlet and a sealing surface configured for engaging the sealing structure of a receiving station, wherein the fluid outlet is configured to allow passage of the fluid inlet into the reservoir. In Figures 1a and 1b of Tomikawa et al. it can be clearly seen that ink tank 1 includes an ink chamber 2 having a joint port 11 which is connectible to the elastic jointing member 22 of holding member 27 to deliver ink from the ink chamber 2 to the recording head 21. The elastic jointing member 22 includes an umbrella shaped portion that engages a depressed area 14 surrounding joint port 11 to form a hermetic seal therebetween. No portion of the holding member 27, including fluid inlet 24 or jointing member 22, passes through joint port 11 into the ink chamber 2. Rather, Tomikawa et al. teaches that fluid inlet 24 is spaced from joint port 11 and remains external to ink chamber 2. Further, the joint port 11 of Tomikawa et al. is separated from ink chamber 2 by an intermediate chamber 5 and ink supply portion 9, making it impossible for fluid inlet 24 to be extended into ink chamber 2. Finally, there is no motivation in Tomikawa et al. to modify the ink tank or holding member such that a fluid inlet of the holding member passes through the joint port 11.

Aono et al. does not remedy the deficiencies of Tomikawa et al. Aono et al. is directed to an ink jet recording head capable of realizing substantially constant discharge

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characteristics for inks of different types (such as dye inks and particle inks). There is no support in Aono et al. for a replaceable ink container comprising a reservoir defining a fluid outlet and a sealing surface configured for engaging the sealing structure of a receiving station, wherein the fluid outlet is configured to allow passage of the fluid inlet into the reservoir.

For the reasons set forth above, Applicants believe the combination of Tomikawa et al. and Aono et al. does not disclose, teach, suggest or make obvious, either implicitly or explicitly, what is claimed by Applicants in amended independent claim 1. Applicants therefore believe that the rejection of independent claim 1 under 35 U.S.C. § 103(a) has been overcome and should be withdrawn. Such action is respectfully requested.

Independent claims 7, 10 and 16 have been amended to include language similar to that referred to above in connection with amended independent claim 1. Thus, the remarks above directed to amended independent claim 1 are equally applicable to amended independent claims 7, 10 and 16. Therefore, for the reasons set forth above, Applicants believe the combination of Tomikawa et al. and Aono et al. does not disclose, teach, suggest or make obvious, either explicitly or implicitly, what is claimed by Applicants in amended independent claims 7, 10 and 16. For the reasons provided, Applicants believe that the rejection of independent claims 7, 10 and 16 under 35 U.S.C. § 103(a) have been overcome and should be withdrawn. Such action is respectfully requested.

Dependent claims 2-6, 8, 11-15 and 17-20 are directly or indirectly dependent upon independent claims 1, 7, 10, and 16. As discussed above, it is believed that independent claims 1, 7, 10, and 16 as amended are now in condition for allowance. Therefore, reconsideration and allowance of dependent claims 2-6, 8, 11-15 and 17-20 is also requested.

**New Claims**

New claims 21-24 have been added to more fully claim Applicants' invention.

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**Allowable Subject Matter**

In light of the above, Applicant believes independent claims 1, 7, 10, 16 and 21, and the claims depending therefrom, are in condition for allowance. Allowance of these claims is respectfully requested.

**CONCLUSION**

No fees are required under 37 C.F.R. 1.16(b)(c). However, if such fees are required, the Patent Office is hereby authorized to charge Deposit Account No. 500471.

The Examiner is invited to contact the Applicants' Representative at the below-listed telephone number if there are any questions regarding this response.

Respectfully submitted,

Mark A. Smith et al.,

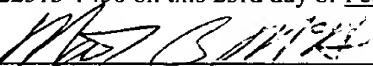
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**CERTIFICATE UNDER 37 C.F.R. 1.8:** The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope address to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 23rd day of February, 2004.

By   
Name: Matthew B. McNutt